IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE ELEVENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 3731 of 2005

Between:

Porandla Venkateswarlu,

S/o.Laxminarayana, age 45 years,

Occ: Drug Inspector, Khammam,
R/o.Opp District Court, Kavirajunagar, Khammam,

Khammam District

..... PETITIONER

AND

1 Superintendnet of Police, Warangal, Warangal District
2 Deputy Superintendent of Police, Warangal, Warangal District
3 The Inspector of Police, Subedari, Warangal
4 Station House Officer, Subedari Police Station, Subedari, Warangal,

Warangal District

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ order or direction more particularly one in the nature of Writ of Mandamus declaring the harassment action of the respondents in pursuance of FIR No. 45 of 2004 on the file of the IV Additional. Judicial First Class Magistrate at Warangal by the 4th respondent under Sec. 34 (a) R/w Sec. 36(e) of the A.P. Prohibition & Excise Act as illegal, arbitrary and against the principles of natural justice and consequently restrain the respondent police from harassing including arrest in pursuance of FIR No. 45/2005 on the file of the IV Addl. Judicial First Class Magistrate, Warangal.

Counsel for the Petitioner: MR.M.JANARDHAN RAO

Counsel for the Respondents1 to 4: G.P. FOR HOME

The Court at the stage of admission made the following:

THE HONOURABLE SRI JUSTICE D.S.R.VARMA

W.P.NO.3731 of 2005

ORAL ORDER:

Heard both sides.

2. It is the complaint of the petitioner is that the respondents are unnecessarily harassing him in connection with the Crime No.45 of 2005 of Subedari Police Station, Warangal.

3. It is needless to mention that time and again this Court categorically held that unnecessary harassment is not permissible in law. However, if there is any *prima facie* case or any complaint is pending against the petitioner, it is always open for the respondents to investigate into the matter within the permissible parameters of law.

4. With the above observation, the writ petition is disposed of at the stage of

admission. However, there shall be no order as to costs.

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D.S.R. VARMA, J

11TH MARCH 2005

ISN

ASSISTANT REGISTRAR

To

1 The Superintendnet of Police, Warangal, Warangal District
2 The Deputy Superintendent of Police, Warangal, Warangal District
3 The Inspector of Police, Subedari, Warangal
4 The Station House Officer, Subedari Police Station, Subedari, Warangal,

Warangal District

5 Two CCs to G.P. for Home, High Court Buildings, Hyderabad (OUT).

6 Two CD copies

THE HONOURABLE SRI JUSTICE D.S.R.VARMA

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W.P.NO.3731 of 2005

11TH MARCH 2005